



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Munetsugu Ueyama

Examiner:

Iswar Patel

Serial No.:

09/869,376

Group Art Unit:

2827

Filed:

06/28/2001

Docket:

017700-0148

Title:

OXIDE HIGH-TEMPERATURE SUPERCONDUCTING WIRE AND METHOD OF

PRODUCING THE SAME

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, priority mail (EL857559947), with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria, VA. 22313 on October 23, 2003.

Richard Ruggiero

Commissioner for Patents Alexandria, VA 22313

Sir:

We are transmitting herewith the attached:

Transmittal Sheet with Certificate of Mailing thereon (in duplicate)

Information Disclosure Statement Transmittal (in duplicate)

Form PTO/SB/08

Cited References (1)

Return postcard

Copy of Office Action from Australian Patent Office

Please charge any fees associated with this transmittal to Deposit Account No 50-0872. A duplicate of this sheet is enclosed.

Date: October 23, 2003 FOLEY & LARDNER

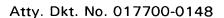
2029 Century Park East 35th Floor Los Angeles, CA 90067-3021 1-310-277-2223 Office

1-310-557-8475 Fax

Blumasta 1 Name: David A. Blumenthal

Reg. No.: 26,257

DAB/rsr







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INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents Washington, D.C. 20231

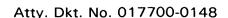
Sir:

Submitted herewith on a modified Form SB08 is a listing of document(s) known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of the listed document(s) is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a <u>prima facie</u> prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of the first action but before the mailing date of either a final action or notice of allowance under the provisions of 37 C.F.R. § 1.97(c), and is accompanied by a statement specified in 37 C.F.R. § 1.97(e).







STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached Form SB08 were cited as being relevant in an Office Action from a corresponding Australian patent application. A copy of the Australian Office Action is being provided. The enclosed reference EP 0964458 corresponds to JP 11-312420, which has already been cited by the applicant and filed with the U.S. Patent and Trademark Office on June 28, 2001.

It is believed that the instant information disclosure statement is being filed prior to the mailing date of an Office Action. However, if this information disclosure statement is filed after the mailing date of the first Office Action, then applicant(s) hereby request(s) and authorize(s) the PTO to charge the petition fee under 37 CFR 1.17(p) to Deposit Account No. 50-0872.

Applicants respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form SB08 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date: October 23, 2003 FOLEY & LARDNER

Telephone:

(202) 672-5407

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David A. Blumenthal Attorney for Applicant Registration No. 26,257 perwork Reduction Act of 1995, no persons are require

Sheet

MODIFIED PTO/SB/08 (08-00) Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO
NFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Date Submitted: October 23, 2003

(use as many sheets as necessary)

of

Complete if Known **Application Number** 09/869,376 Filing Date June 28, 2001 First Named Invent r Munetsugu Ueyama Group Art Unit 2827 **Examiner Name** Ishwar Patel 017700-0148 Attorney Docket Number

U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	U.S. Patent I		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		Number	Kind Code ² (if known)						
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FOREIGN PATENT DOCUMENTS													
Examiner Initials*	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵ (If known)			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶					
		EP	EP0964458A1		Sumitomo Electric Ind. Inc.	12/15/1999							
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NON PATENT LITERATURE DOCUMENTS

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2See attached Kinds of U.S. Patent Documents. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.